IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 18TH DECEMBER 2006 / 27TH AGRAHAYANA 1928

WP(C).No. 23293 of 2006(W)

PETITIONER:

V.P. THRIMATHY, S/O.V.P. CHERIYAPPU HAJI
AGED 60 YEARS, GOVERNMENT CONTRACTOR,
EDAVANNA, MALAPPURAM DISTRICT.

BY ADV. SRI.K.M.SATHYANATHA MENON

RESPONDENTS:

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1. THE SUPERINTENDING ENGINEER,
P.W.D. BUILDING AND LOCAL WORKS
(NORTH CIRCLE), KOZHIKODE.

2. THE EXECUTIVE ENGINEER,
P.W.D. BUILDING DIVISION, PALAKKAD.

3. THE DISTRICT OFFICER,
SCHEDULED CASTE DEVELOPMENT, PALAKKAD.

4. THE STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT, PUBLIC WORKS
DEPARTMENT, GOVERNMENT OF KERALA, TRIVANDRUM.

BY GOVERNMENT PLEADER SMT.N.SUDHA DEVI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.23293 of 2006

APPENDIX:

PETITIONER'S EXHIBITS:

EXT.P1- TRUE COPY OF THE AGREEMENT EXECUTED BETWEEN THE PEITOINER AND the SUPERINTENDING ENGINEER, PWD BUILDING AND LOCAL WORKS NORTH CIRCLE, KOZHIKODE DATED 1-11-2004.

EXT.P2- TRUE COPY OF the GOVERNMENT ORDER DATED 18-8-2006.

EXT.P3- TRUE COPY OF THE LETTER SUBMITTED BY the PETITIONER TO the SUPERINTENDING ENGINEER, KOZHIKODE DATED 25-7-2006.

EXT.P4- TRUE COPY OF THE LETTER SUBMITTED BY THE PETITIONER DATED 22-8-2006 TO THE SECRETARY TO the GOVERNMENT.

K.BALAKRISHNAN NAIR, J.

W.P.(C).NO.23293 of 2006-W

Dated this the 18th day of December, 2006

JUDGMENT

The petitioner did certain works for the SC ST Department. The work was tendered and supervised by the P.W.D. The amount due under the contract has not been released by the P.W.D. to him, for the reason that the SC ST Department has failed to deposit the amount.

2. The learned Special Government Pleader for the SC ST Department submitted that the third respondent will deposit to the first respondent the amount, within three months from today. This submission is recorded. Upon receipt of the amount, the admitted amount due to the petitioner shall be released to him, within two weeks thereafter.

The writ petition is disposed of as above.

K.BALAKRISHNAN NAIR,JUDGE.

MS